இணைப்பு I

[268 ஆம் பக்கத்தில் இனம் 4 (1)-க்கான அடிக்குறிப்பைக் காண்க.]

L.A. Bill No. 43 of 1975.

(As passed by the Assembly)

A Bill to validate certain acts and proceedings of the Special Officer for Wakfs in the State of Tamil Nadu.

Be it enacted by the Legislature of the State of Tamil Nadu in the Twenty-sixht Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Tamil Nadu State Wakf Board (Validation of Functions of Special Officer) Act, 1975.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(*a*) " Board " means the Tamil Nadu State Wakf Board established under section 9 of the principal Act;

(*b*) " Principal Act ' means the Wakf Act, 1954 (Central Act 29 of 1954);

(*c*) " Special Officer " means the Special Officer for Wakfs who has been authorised to exercise and perform all the powers and duties of the Board by the notification of the State Government in the Revenue Deparment, No. 11-1 No. 3424 of 1969, dated the 10th April 1969, published at pages 1094 of Part II—Section 1 of the *Fort St. George Gazette*, dated the 23rd July 1969.

3. *Notification dated the 25th May 1971, deemed to have commenced on 19th November 1970.*—Notwithstanding anything contained in the principal Act, the notification of the State Government in the Revenue Department, III No. 139 of 1971, dated the 25th May 1971, published at page 755 of Part III of the *Tamil Nadu Government Gazette*, dated the 9th June 1971, shall be deemed to have come into force on the 19th November 1970.

4. *Appointment of Special Officer as Secretary to the Board.*—Notwithstanding anything contained in the principal Act, the Special Officer shall be deemed to have been duly appointed under sub-section (1) of section 21 of the principal Act as Secretary to the Board for the period commencing on the 24th May 1971 and ending with the 11th July 1971.

5. *Validation.*—(1) Notwithstanding anything contained in the principal Act or in any judgment, decree or order of any court or other authority, all acts done and proceedings taken by the Special Officer, including directions issued, schemes settled, appointment or removal of muthawallis made or effected, suits or other proceedings instituted and defended, and sanctions accorded, during the period commencing on the 20th November 1970 and ending with the 23rd May 1971, shall for all purposes be deemed to be and to have always been validily done or taken in accordance with law as if section 3 had been in force at all material times when such acts or proceedings were done or taken.

(2) Notwithstanding anything contained in the principal Act or in any judgment, decree or order of any court or other authority, all acts done and proceedings taken by the Special Officer during the period commencing on the 24th May 1971 and ending with the 11th July 1971 shall for all purposes be deemed to be and to have always been validly done or taken by the Secretary to the Board as if section 4 had been in force at all material times when such acts or proceedings were done or taken.

6. *Restoration of suits and proceedings.*—Where any suit or other proceedings instituted by the Special Officer before any court or other authority during the period commencing on the 20th November 1970 and ending with the 11th July 1971 has been dismissed by such court or other authority solely on the ground that the Special Officer had no jurisdiction to institute such suit or other proceedings, the court or other authority, shall notwithstanding anything to the contrary in the Limitation Act, 1963 (Central Act 36 of 1963) or in any other law for the time being in force, on application made within six months from the date of the commencement of this Act by the Secretary to the Board, make an order setting aside its decree or order and shall proceed with the suit or other proceeding from the stage reached immediately before the dismissal of such suit or other proceeding.